

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

CLIFTON FRANK PETER,

Plaintiff,

Defendant.

Case No. 1:20-CR-2024-SAB-1

CRIMINAL MINUTES

DATE: AUGUST 23, 2022

LOCATION: YAKIMA, WA

SENTENCING HEARING

	Chief Judge Stanley A. Bastian		
Michelle Fox Courtroom Deputy	03 Law Clerk	Interpreter	Marilynn McMartin Court Reporter
Richard Burson Thomas Hanlon Government Counsel		Jay McEntire Defense Counsel	
United States Probation Officer: Sean Carter			

☒ **Open Court**

☐ **Chambers**

☐ **Telecon/VIDEO**

Defendant present and in custody of the US Marshal.

Court addresses counsel. Defendant pled guilty to 3 Counts. Counts 1, 3, 5. Court summarizes maximum penalties and guidelines. Court has reviewed all of the materials submitted and presentence report.

M. McEntire presents argument on objections to presentence report. They do not affect the guideline range. Paragraphs 194-198 argued.

T. Hanlon presents argument on objections. ECF No. 50 outlines probation's response.

Court rules that Paragraphs 192-199 will remain in the presentence report.

J. McEntire outlines the reason for Dr. Schloemmer's testimony.

Jeffrey Schloemmer is sworn in and questioned by J. McEntire.

2:05 pm - T. Hanlon cross examines witness.

[X] ORDER FORTHCOMING

CONVENED: 1:00 P.M. 2:50 P.M.	ADJOURNED: 2:40 P.M. 3:30 P.M.	TIME: 1 HR. 40 MIN. 40 MIN. TOTAL: 2 HRS. 20 MIN.	CALENDARED [X]
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2:14 pm - Redirect by J. McEntire.
Witness excused at 2:18 pm.

Maria Perez reads several statements to the Court.

Juan Palacious Mora speaks to the Court.

Recess: 2:40 pm – 2:50 pm

Brenda Luna speaks to the Court.

T. Hanlon reads a victim's statement to the Court.

T. Hanlon presents argument and outlines recommendations.

Court questions counsel. T. Hanlon responds. Court questions counsel. T. Hanlon responds.

J. McEntire presents argument and outlines recommendations.

Court speaks to the defendant.

Defendant speaks to the Court.

Court speaks to the defendant. Court outlines the 3553 factors. Upward variance is justified.

Imprisonment: 600 months. Credit for time served.

Supervised Release: 5 years, with the standard conditions and the following special conditions:

1. You must provide the supervising officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office. You must disclose all assets and liabilities to the supervising officer. You must not transfer, sell, give away, or otherwise convey any asset, without the advance approval of the supervising officer.
2. You must not incur any new debt, open additional lines of credit, or enter into any financial contracts, without the advance approval of the supervising officer.
3. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.
4. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.
5. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

6. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

7. You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 12 tests per month, in order to confirm continued abstinence from this substance.

SPA: \$100.00 = \$300.00

Fine: Waived

Restitution: \$86,170

Waiver of Right to Appeal discussed.

T. Hanlon indicates he can appeal the sentence.

Court outlines the Rights to Appeal.